

MAY 08 2006

**OFFICE OF PETITIONS**

[272] Attorney Docket No. : ADP-238

**PATENT**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donald J. Ames, Ellen K. Brackman, and Donald L. Guile  
 Serial No. : 10/738,425  
 Filed : December 16, 2003  
 For : CREEP RESISTANT ZIRCON REFRACTORY MATERIAL  
       USED IN A GLASS MANUFACTURING SYSTEM  
 Examiner : David R. Sample  
 Group : 1755  
 Date of mailing of Notice of Allowance and Fee(s) Due: April 20, 2005

Mail Stop 313(c)  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**PETITION UNDER (37 C.F.R. §1.313(c))**  
**WITHDRAWAL FROM ISSUE--ISSUE FEE PAID**

- Applicants petition that the above identified application be withdrawn from issue.

The issue fee was paid on April 20, 2005.

- Reason for withdrawal from issue:

Applicants seek withdrawal from issuance for consideration of a Request for Continued Examination (RCE) in compliance with §1.114, which is submitted herewith.

- Petition fee (37 C.F.R. § 1.17(h)):

Please charge Deposit Account No. 11-1158 in the amount of \$130.00.  
 The Director is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 11-1158. A duplicate of this petition is attached.

Date: 5/8/06

  
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05/09/2006 CKHLOK 00000010 111158 10738425  
 01 FC:1464 130.00 DA

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

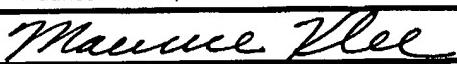
Total Number of Pages in This Submission

Application Number	10/738,425	<b>FAX RECEIVED</b>
Filing Date	December 16, 2003	MAY 08 2006
First Named Inventor	Ames	
Art Unit	1755	
Examiner Name	David R. Sample	<b>OFFICE OF PETITIONS</b>
Attorney Docket Number	ADP-238	

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ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks Date of mailing of Notice of Allowance and Fee(s) Due: April 20, 2005, 2005 <b>Attention: Mail Stop 313(c)</b> Papers transmitted herewith: 1. Transmittal Form (PTO/SB/21; 1 page; this page) 2. Petition Under 37 CFR §1.313(c) Withdrawal From Issue-Issue Fee Paid (1 page; 2 copies) 3. Request for Continued Examination (RCE) Transmittal (PTO/SB/30; 1 page; 2 copies) 4. Supplemental Information Disclosure Statement (with attached Exhibits A-C; 25 pages)		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Maurice M. Klee, Ph.D.		
Signature			
Printed name	Maurice M. Klee, Ph.D.		
Date	May 8, 2006	Reg. No.	30,399

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Maurice M. Klee, Ph.D.	Date	May 8, 2006

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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